

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JUAN JESUS MONTALVO,

Plaintiff,

v.

CIV No. 14-0493 LAM

**CAROLYN W. COLVIN, Acting Commissioner
of the Social Security Administration,**

Defendant.

ORDER TO SHOW CAUSE

THIS MATTER is before the Court on Plaintiff's *Motion for Order Authorizing Attorney Fees Pursuant to 42 U.S.C. § 406(b) and Supporting Memorandum* (Doc. 29), filed August 29, 2016. In the motion, Plaintiff's counsel notes that the Court previously granted Plaintiff's motion for attorney's fees pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412, in the amount of \$7,000.00 for attorney's fees and \$400.00 in costs, but that "this amount was subject to an offset under the Treasury Offset Program (31 U.S.C. § 3716(c)(3)(B) (2006)), and, consequently, only \$1,988.72 was paid under EAJA." [Doc. 29 at 2 and fn.1] (explaining that the Treasury Offset Program "is a centralized offset program . . . to collect delinquent debts owed to federal agencies and states (including past-due child support), in accordance with 26 U.S.C. § 6402(d)"). Plaintiff's counsel, however, fails to attach any documentation of this offset either showing the amount collected or to which agency this amount was paid. The Court will require Plaintiff's counsel to supplement the motion to provide this information.

IT IS THEREFORE ORDERED that, **no later than Wednesday, November 30, 2016**, Plaintiff's counsel shall supplement Plaintiff's *Motion for Order Authorizing Attorney Fees Pursuant to 42 U.S.C. § 406(b) and Supporting Memorandum* (Doc. 29) by providing documentation of Plaintiff's previously-awarded attorney's fees that were collected pursuant to the Treasury Offset Program, including the amount collected and the agency that was paid.


LOURDES A. MARTÍNEZ
UNITED STATES MAGISTRATE JUDGE
Presiding by Consent